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GOVERNMENT OF INDIA.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

NOTIFICATIONS.

(L. S. G.)

New Delhi, the 2nd March 1937.

No. F. 23-10/37-H.—In exercise of the powers conferred by section 7 of the Delhi Laws Act, 1912 (XII of 1912), the Governor General in Council is pleased to extend to that part of the Province of Delhi which is described in the Schedule the United Provinces Town Improvement Act, 1919 (United Provinces Act VIII of 1919), with the following modifications, namely:—

In the said Act, as so extended,—

1. (i) For the words "Local Government" wherever they occur, the words "Chief Commissioner" shall be substituted.
- (ii) For the words "the municipal board"
 - (a) wherever they occur in sections 29, 30, 38, 39 and 46 and in sub-section (3) of section 54, and
 - (b) where they occur for the first time in sub-section (1) of section 45 and sub-section (1) of section 54,
 the words "a Municipal Committee or Notified Area Committee" shall be substituted.
- (iii) For the words "the municipal board"
 - (a) wherever they occur in sections 34, 36, 37 and 47, in sub-section (2) of section 54 and in clause (d) of sub-section (2) of section 103, and
 - (b) wherever they occur, otherwise than for the first time, in sub-section (1) of section 45 and sub-section (1) of section 54,
 the words "the Municipal Committee or Notified Area Committee" shall be substituted.
- (iv) For the words "any municipal board" in section 37 the words "a Municipal Committee or Notified Area Committee" shall be substituted.

2. In section 1—

- (i) sub-section (2) shall be omitted; and
- (ii) for sub-section (3) the following sub-section shall be substituted, namely:—

"(3) It shall come into force at once".

3. In clause (1) of section 2, for the words and figures "United Provinces Municipalities Act, 1916, as from time to time amended" the words and figures "Punjab Municipal Act, 1911, as extended to the Province of Delhi" shall be substituted.

4. For section 3 the following section shall be substituted, namely:—

"**3. Creation and incorporation of Trust.**—The duty of carrying out the provisions of this Act in the local area to which the Act has been extended shall, subject to the conditions and limitations hereinafter contained, be vested in a Board to be called "The Delhi Improvement Trust" (hereinafter called the Trust), and such Board shall be a body corporate and have perpetual succession and a common seal, and shall by the said name sue or be sued."

5. For section 4 the following section shall be substituted, namely:—

"**4. Constitution of Trust.**—(1) The Trust shall consist of seven Trustees, namely:—

- (a) a Chairman;
- (b) an officer of the Central Public Works Department;
- (c) the Assistant Director of Public Health, Delhi;
- (d) a Financial Adviser;
- (e) two members of the Municipal Committee of Delhi;
- (f) one other person.

(2) The Chairman and the persons referred to in clauses (b), (d) and (f) of sub-section (1) shall be appointed by the Chief Commissioner by notification.

(3) The Assistant Director of Public Health, Delhi, shall be an *ex-officio* member of the Trust.

(4) The two members of the Municipal Committee referred to in clause (c) of sub-section (1) shall be elected by the Municipal Committee.

(5) If the Municipal Committee does not, by such date as may be fixed by the Chief Commissioner, elect a person to be a Trustee, the Chief Commissioner shall, by notification, appoint a member of the Municipal Committee to be a Trustee and any person so appointed shall be deemed to be a Trustee as if he had been duly elected by the Municipal Committee."

6. In section 7—

(i) for the brackets and letter (c) the brackets and letter (c) shall be substituted;

(ii) for the brackets and letter (d) the following shall be substituted, namely:—

"(b), (d), or (f)"; and

(iii) for the words "municipal board" the words "Municipal Committee" shall be substituted.

7. For section 9 the following section shall be substituted, namely:—

“9. Remuneration and fees of Chairman and Trustees.—(1) The Chairman shall receive from the funds of the Trust such salary and allowances as may be sanctioned by the Governor General in Council.

(2) Every Trustee (other than the Chairman) and every person associated with the Trust under section 14 shall, if he is not a whole-time Government servant, be entitled to receive from the funds of the Trust a fee of twenty rupees, and every member of a Committee appointed under section 15 shall, if he is not the Chairman or a whole-time Government servant, be entitled to receive from the funds of the Trust a fee of ten rupees for each meeting of the Trust or the Committee—

- (i) at which a quorum is present and business is transacted; and
- (ii) which he attends from the beginning to the end thereof, or for such period as the person presiding at the meeting may consider sufficient to justify the payment of the fee:

Provided that the aggregate amount of fees payable to any person in respect of meetings of any kind held during any month shall not exceed such sum as the Chief Commissioner may by order in writing prescribe.”

8. In sub-section (3) of section 10, for the words “its opinion” the words “the opinion of the Chief Commissioner” shall be substituted.

9. In section 12—

- (i) for the words “the board”, and the words “the municipal board”, wherever they occur, the words “the Municipal Committee” shall be substituted;
- (ii) in sub-section (2), for the brackets and letter “(c)” the brackets and letter “(c)” shall be substituted; and
- (iii) in sub-section (3), for the words “said board” the words “said Committee” shall be substituted.

10. In sub-section (1) of section 18, for the words “a Trust” the words “the Trust” shall be substituted.

11. In sub-sections (2) and (3) of section 22, for the word “it” the word “him” shall be substituted.

12. In sub-section (1) of section 82, after the word “municipality” the words “or Notified Area” shall be inserted.

13. In clause (c) of sub-section (2) of section 88, after the word “ward”, wherever it occurs, the words “or Notified Area” shall be inserted.

14. In section 34—

- (i) in sub-section (2), for the words “the board” the words “the Municipal Committee or Notified Area Committee” shall be substituted; and
- (ii) in sub-section (4), for the word “it”—
 - (a) where it occurs for the first time, the word “him”; and
 - (b) where it occurs for the second and third time, the word “he”,

shall be substituted.

15. In clauses (a) and (b) of sub-section (1) of section 88, for the words "municipal assessment list" the words "assessment list of the municipality or Notified Area" shall be substituted.

16. In section 39, for the words "municipal assessment list" the words "assessment list of the municipality or Notified Area" shall be substituted.

17. In sub-section (1) of section 41, for the word "it" the word "him" shall be substituted.

18. In sub-section (1) of section 42, for the word "it" the word "he" shall be substituted.

19. In sub-section (1) of section 47, for the words "municipal drain or water-work" the words "drain or water-work of the Municipal Committee or Notified Area Committee" shall be substituted.

20. In section 49—

(i) in sub-section (1)—

(a) for the words, figures and brackets "The provisions of sections 178 to 186, 189 to 194, 203 to 216, 218 to 224, 238, 256, 257, 261, 265, 266, 267, (except in respect of cleansing and disinfecting), 268 to 270 and 278 of" the following shall be substituted, namely:—

"The provisions of sections 102, 114, 116, 118, 130 to 136, 140, 169, 170A to 172, 176 and 182, sub-sections (1) and (2) of section 189, sections 191 to 196 and Chapter XI of, and of any bye-laws made by the municipal committee or notified area committee under,";

(c) for the words "said sections", wherever they occur, the words "said provisions" shall be substituted;

(d) for the words "board or to the Chairman, or to any officer of the board, shall be construed as referring" the words "Local Government or to the committee shall be construed, respectively, as referring to the Chief Commissioner or" shall be substituted; and

(e) for the words "board or by the Chairman or by any officer of the board" the word "committee" shall be substituted; and

(ii) in sub-section (2)—

(a) for the words "the municipality" the words "a municipality or Notified Area" shall be substituted;

(b) for the word and figures "section 298" the word and figure "Chapter X" shall be substituted;

(c) for the words and figures "sections 299 and 301" the words and figures "sections 199 to 202" shall be substituted;

(d) for the words "a Trust" the words "the Trust" shall be substituted; and

(e) for the words "the board shall be construed as referring" the words "the Local Government or to the committee shall be construed, respectively, as referring to the Chief Commissioner or" shall be substituted.

21. In section 50, for the words "this Act is applied" the words "this Act has been extended" shall be substituted.

22. In clause (e) of sub-section (1) of section 54, after the word "municipality" the words "or Notified Area" shall be inserted.

23. In section 58, the words "as modified by the provisions of this Act," shall be omitted.

24. In clause (b) of section 58, after the words "the said Act shall" the words "in respect of any improvement scheme mentioned in this Act," shall be inserted.

25. In section 59—

(i) in sub-section (2)—

(a) in clause (a), for the words "or Provincial Civil Service", and for the words "Civil Judge of the first grade", the words "or of a Provincial Civil Service", and the words "Subordinate Judge of the first class", shall, respectively, be substituted: and

(b) in clause (b), for the words "in the High Court of Judicature at Allahabad or the Court of the Judicial Commissioner of Oudh" the following shall be substituted, namely:—

"in the High Court of Judicature at Lahore or in the Court of the District Judge at Delhi"; and

(ii) in sub-sections (3) and (6), for the words "municipal board", wherever they occur, the words "Municipal Committee of Delhi" shall be substituted.

26. In sub-section (7) of section 68, for the word "Tribunals" the words "a Tribunal" shall be substituted.

27. Section 66 shall be omitted.

28. In section 67—

(i) for the words "A Trust as defined in this Act" the words "The Trust" shall be substituted; and

(ii) after the words "under that Act," the words "and the undertaking of any work under section 22A of this Act" shall be inserted.

29. For section 68 the following section shall be substituted, namely:—

68. Custody and investment of Trust funds.—All moneys at the credit of the Trust shall be kept in the Government Treasury:

Provided that the Trust may, with the previous sanction of the Chief Commissioner, invest any such moneys as are not required for immediate expenditure in any of the securities prescribed in section 20 of the Indian Trusts Act, 1882."

30. Sections 69, 70 and 71 shall be omitted.

31. In sub-section (1) of section 72—

(i) the words "and applicable to all or any Trust" shall be omitted;

(ii) in clause (b), for the words "municipal assessment list" the words "assessment list of a municipality or Notified Area" shall be substituted;

(iii) in clause (d), for the words "officers of that Government" the words "his officers" shall be substituted;

(iv) in clause (h), for the word "Trusts" the words "the Trust" shall be substituted;

(v) in clause (i), after the words "to the" the words "Chairman and" shall be inserted; and

(vi) in clause (m), for the word "Trusts" the words "the Trust" shall be substituted.

32. In section 78, for the words "Every Trust" the words "The Trust" shall be substituted.

33. In section 75, for the word "its", and for the word "it", the word "his", and the word "he", shall, respectively, be substituted.

34. In clause (b) of sub-section (7) of section 78, for the words "municipal limits" the words "the limits of a municipality or Notified Area" shall be substituted.

35. In sections 80 and 81, for the word and figures "(Chapter VI" the words, brackets and figures "sub-section (4) of section 222" shall be substituted.

36. In section 85—

(i) the words and figures "in effecting any removal under section 265 of the Municipalities Act as applied by section 49 of this Act, or" shall be omitted;

(ii) for the words "under section 278 of that Act" the following shall be substituted, namely:—

"under section 114 or 171 of the Municipalities Act as applied by section 49 of this Act"; and

(iii) for the word and figures "(Chapter VI" the words and figures "sub-section (4) of section 222" shall be substituted.

37. For section 87 the following section shall be substituted, namely:—

87. Application of section 222, Municipalities Act.—Wherever in this Act or in any section of the Municipalities Act it is provided that any sum may be recovered under sub-section (1) of section 222 of the Municipalities Act, then in applying the provisions of that sub-section the Trust shall be deemed to be the committee."

38. In sub-section (1) of section 97, for the words "a Trust" the words "the Trust" shall be substituted.

39. In sub-section (2) of section 103—

(i) for clause (a) the following clauses shall be substituted, namely:—

"(a) (i) all properties, funds and dues placed at the disposal of the Trust under sub-section (1) of section 54A, and

(ii) all properties, funds and dues exchanged for, derived from, or otherwise attributable to, the properties, funds and dues referred to in sub-clause (i),

which, on the said date, are held by or realizable by the Trust shall vest in, and be realizable by, the Chief Commissioner; and

(aa) all properties, funds and dues, other than those referred to in clause (a), which, on the said date, are vested in or realizable by the Trust and the Chairman respectively shall vest in and be realizable by the Municipal Committee or Notified Area Committee and the Chairman of such Committee respectively: and";

(ii) in clause (b), for the words "only against the municipal board" the following shall be substituted, namely:—

"only against the Chief Commissioner or the Municipal Committee or Notified Area Committee, as the case may be"; and

(iii) in clause (c)—

(a) for the word, brackets and letter "clause (a)" the words, brackets and letters" clauses (a) and (aa)" shall be substituted; and

(b) for the words "by the municipal board and the Chairman of the board respectively" the following shall be substituted, namely:—

"by the Chief Commissioner or the Municipal Committee or Notified Area Committee and the Chairman of such Committee, as the case may be".

40. In the Schedule—

(i) after the words and figures "United Provinces Town Improvement Act, 1919," wherever they occur, the words "as extended to the Province of Delhi," shall be inserted;

(ii) in section 1, for the words "a Trust" the words "the Delhi Improvement Trust" shall be substituted;

(iii) in section 2, sub-section (2) shall be renumbered as sub-section (3) and after sub-section (1) the following sub-section shall be inserted, namely:—

"(2) Proceedings under section 38 and sub-section (1) of section 40 of the United Provinces Town Improvement Act, 1919, as extended to the Province of Delhi, shall be substituted for and have the same effect as proceedings under section 5A of the said Act"; and

(iv) in sub-section (3) of section 10, the following shall be omitted, namely:—

"(g) when the owner of the land or building has after passing of the United Provinces Town Improvement Act, 1919, and within two years preceding the date with reference to which the market-value is to be determined, made a return under section 158 of the United Provinces Municipalities Act, 1916, of the rent of the land or building, the rent of the land or building shall not in any case be deemed to be greater than the rent shown in the latest return so made, save as the Court may otherwise direct, and the market-value may be determined on the basis of such rent:

Provided that where any addition to, or improvement of, the land or building has been made after the date of such latest return and previous to the date with reference to which the market-value is to be determined, the Court may take into consideration any increase in the letting value of the land due to such addition or improvement."

Schedule.

I. (1) The Municipality of Delhi.
 (2) The Municipality of New Delhi.
 (3) The Civil Lines Notified Area.
 (4) The Fort Notified Area.

II. The following Revenue Estates or Mahals or such portions of them as are not included in the Municipalities and Notified Areas hereinbefore mentioned:—

	Habbast No.
(1) Delhi (Patti Jehan Numa)	252
(2) Sadhaura Kalan	247
(3) Sadhaura Khurd	243
(4) Khanpur Raya	242
(5) Shadipur	241
(6) Naraina	239
(7) Basaidarapur	79
(8) Chankri Mubarakabad	244
(9) Nimir	245
(10) Wazirpur	248
(11) Malakpur Chhaoni	248
(12) Azadpur	49
(13) Bhareaula	50
(14) Bhalawa Jehangirpur	48
(15) Shanjarpur	20
(16) Mukandpur	21
(17) Dahirpur	19
(18) Jheranda Mazra Burari	22
(19) Wazirabad	251
(20) Dhaka	18
(21) Serai Kale Khan	9
(22) Behlolpur Khadar	275
(23) Nangli Razapur	267
(24) Chak Chilla	273
(25) Kilotri	274
(26) Garhi Jharia Maria	11
(27) Khizarabad	272
(28) Joga Bai	271
(29) Okhla	270
(30) Jagaula	269
(31) Bahapur	44
(32) Charagah Shumali	56
(33) Charagah Janubi	57
(34) Jhilmila Taharpur	8

No. F. 23-10/37-H.—In exercise of the powers conferred by section 7 of the Delhi Laws Act, 1912 (XIII of 1912), the Governor General in Council is pleased to extend to that part of the Province of Delhi which is described in the Schedule sections 32, 59, and 86 of the Rangoon Development Trust Act, 1920 (Burma Act V of 1920), with the following modifications, namely:—

1. In the said sections, as so extended, for the words "Local Government", and for the words "the Board", wherever they occur, the words "Chief Commissioner", and the words "the Trust", shall, respectively, be substituted.

2. In section 32, as so extended—

(i) the words "and the provisions of this Act" shall be omitted; and

(ii) for the words "expansion or development of the city or of any area in the vicinity thereof to which the Local Government may, by notification, declare this Act to apply" the words "or development of the area to which this Act has been extended" shall be substituted.

3. Section 32, as so modified, and so extended, shall be read together with, and as Chapter IIIA, entitled "GENERAL POWERS OF TRUST.", and as section 22A, of, the United Provinces Town Improvement Act, 1919, as extended to the Province of Delhi.

4. In section 59, as so extended—

(i) for sub-section (1) the following sub-section shall be substituted, namely:—

"Power of Trust to hold Government property.—(1) The Government may, upon such terms as may be agreed upon between the Government and the Trust, place at the disposal of the Trust any properties, or any funds or dues, of the Government and thereupon the Trust shall hold or realise such properties, funds and dues in accordance with such terms."; and

(ii) in sub-section (2)—

(a) for the words "vested in the Board is required by the Imperial or Local" the words "held by the Trust under sub-section (1) is required by the" shall be substituted; and

(b) for the words "the rate of six per cent. per annum" the words "such rate as may be fixed by the Chief Commissioner" shall be substituted.

5. In section 86, as so extended—

(i) in sub-section (1)—

(a) the words "or any tax or fee" shall be omitted; and

(b) before the words "may be recovered", the words "in respect of any properties, funds or dues placed at the disposal of the Trust under sub-section (1) of section 54A" shall be inserted; and

(ii) in sub-section (2) the words "tax or fee" shall be omitted.

6. Sections 59 and 86, as so modified, and so extended, shall be read together with, and as Chapter VA, entitled "GOVERNMENT PROPERTY HELD BY TRUST", and as sections 54A and 54B, of, the United Provinces Town Improvement Act, 1919, as extended to the Province of Delhi.

Schedule.

I. (1) The Municipality of Delhi.
 (2) The Municipality of New Delhi.
 (3) The Civil Lines Notified Area.
 (4) The Fort Notified Area.

II. The following Revenue Estates or Mahals or such portions of them as are not included in the Municipalities and Notified Areas hereinbefore mentioned :—

	Habcast No.
(1) Delhi (Patti Jehan Numa)	252
(2) Sadaura Kalan	247
(3) Sadaura Khurd	243
(4) Khanpur Raya	242
(5) Shadipur	241
(6) Naraina	239
(7) Bassidarpur	79
(8) Chaukri Mubarakabad	244
(9) Nimri	245
(10) Wazirpur	246
(11) Malakpur Chhaoni	248
(12) Azadpur	49
(13) Bharaula	50
(14) Bhalswa Jehangirpur	48
(15) Shanjarpur	20
(16) Mukandpur	21
(17) Dahirpur	19
(18) Jharauda Mazra Burari	22
(19) Wazirabad	251
(20) Dhaka	18
(21) Serai Kale Khan	9
(22) Behlolpur Khadar	275
(23) Nangli Razapur	267
(24) Chak Chilla	273
(25) Kilokri	274
(26) Garhi Jharia Maria	11
(27) Khizarabad	272
(28) Joga Bai	271
(29) Okhla	270
(30) Jasaula	269
(31) Bahapur	44
(32) Charagah Shumali	56
(33) Charagah Janubi	57
(34) Jhilmiya Taharpur	8

No. F. 23-10/37-H.—In exercise of the powers conferred by section 7 of the Delhi Laws Act 1912 (XIII of 1912), the Governor General in Council is pleased to extend to that part of the Province of Delhi which is described in the Schedule section 78 of the Calcutta Improvement Act, 1911 (Bengal Act V of 1911), with the following modifications, namely:—

1. In the said section, as so extended,—

- (i) for the words "Local Government", and for the words "the Board", wherever they occur, the words "Chief Commissioner", and the words "the Trust", shall, respectively, be substituted;
- (ii) in sub-section (2), for the word "them" the words "the Trust" shall be substituted;
- (iii) in sub-section (3), for the words "decide" and "they" the words "decides" and "it" shall, respectively, be substituted;
- (iv) in sub-section (4), for the words "have arranged", and for the words "are satisfied", the words "has arranged", and the words "is satisfied", shall, respectively, be substituted; and
- (v) sub-sections (10) and (11) shall be omitted.

2. The said section, as so modified, and so extended, shall be read together with, and as section 64-A with the heading "*Abandonment of Acquisition*", of, the United Provinces Town Improvement Act, 1919, as extended to the Province of Delhi.

Schedule.

I. (1) The Municipality of Delhi.
 (2) The Municipality of New Delhi.
 (3) The Civil Lines Notified Area.
 (4) The Fort Notified Area.

II. The following Revenue Estates or Mahals or such portions of them as are not included in the Municipalities and Notified Areas hereinbefore mentioned:—

	Hadbaat No.
(1) Delhi (Patti Jehan Numa)	252
(2) Sadaura Kalan	247
(3) Sadaura Khurd	248
(4) Khanpur Raya	242

	Hadbast No.
(5) Shadipur	241
(6) Naraina	239
(7) Basaidarapur	79
(8) Chaukri Mubarakabad	244
(9) Nimri	245
(10) Wazirpur	246
(11) Malakpur Chhaoni	248
(12) Azadpur	49
(13) Bharaula	50
(14) Bhalswa Jehangirpur	48
(15) Shanjarpur	20
(16) Mukandpur	21
(17) Dahirpur	19
(18) Jharauda Mazra Burari	22
(19) Wazirabad	251
(20) Dhaka	18
(21) Serai Kale Khan	9
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(23) Nangli Razapur	267
(24) Chak Chilla	273
(25) Kilokri	274
(26) Garhi Jharia Maria	11
(27) Khizarabad	272
(28) Joga Bai	271
(29) Okhla	270
(30) Jasaula	269
(31) Bahapur	44
(32) Charagah Shumali	56
(33) Charagah Janubi	57
(34) Jhilmiya Taharpur	8

G. S. BAJPAI,

Secty. to the Govt. of India.

FINANCE DEPARTMENT.**NOTIFICATION.**

New Delhi, the 2nd March 1937.

No. D./1303-F.—In exercise of the powers conferred by section 4 of the Local Authorities Loans Act, 1914 (IX of 1914), the Governor General in Council is pleased to direct that the following further amendment shall be made in the Local Authorities Loans Rules, 1915:—

In rule 8-A of the said Rules, after the words, figure and brackets “of sub-section (7)”, the following shall be inserted, namely:—

“(or, in the case of the Delhi Improvement Trust, mentioned in sub-section (1))”.

J. C. NIXON,

Secy. to the Govt. of India.

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